

Flathead County Road and Bridge Advisory Committee
Advisory Committee Meeting
February 28, 2008 – 7:00 pm
Solid Waste District Board Room – County Landfill

1. Roll Call

Committee Members Present: Charles Lapp – Chairman, Mike Schlegel – Vice Chairman, Karl Schrade, Dan Siderius

Staff Present: Administrative Assistant Mike Pence, Public Works Director Dave Prunty, Operations Manager Guy Foy, Recording Secretaries Patti Vernarsky and Karen Rogers

Public Attendees: Jeff Key of Peccia & Associates, Norn Kuennen of DNRC, Jeff Harris of Flathead County Planning & Zoning, Mark Gluth, Paul Abel, Whitey Boughton

2. Introductory Remarks

No introductory remarks at this time.

3. Comments from Public (15 Minutes Maximum)

Paul Abel, Farm Road - He distributed an SID road paving proposal which does not address all of the road department problems but the proposal does contain the problem that concerns him the most. He explained his plan on how the county can make the SID's more affordable and fair. He feels the county should pay for the engineers, attorney's, underwriters, and other county administrative fees out of the road departments budget, and have the property owners pay for the overlays and new paving.

Whitey Boughton, Lupfer Road – He asked Mike Pence if he had found anything from about the local option motor vehicle tax. He feels the commissioners should put the motor vehicle tax on the ballot to generate more money for the road department.

Mark Gluth, McMannamy Draw – He mentioned the portion of Lost Creek that was paved in 2002 with a traffic county of 130. He noted that Dale Lauman stated politics is going to cease in regards to any new paving. He believes the average daily road count should be the first priority for getting roads paved.

4. Approval of the Board Meeting Minutes – **Action Required**

Mike Schlegel moved to approve the minutes from February 14, 2008 meeting. Karl Schrade seconded the motion. All in favor; motion passed, minutes approved.

5. Action Agenda

- a. Approve time change in By-Laws

Karl Schrade moved to approve the time change to 7:00 pm in the by-laws. Mike Schlegel seconded the motion. All in favor; motion passed, time change approved.

b. Approve date changed for March 13th to March 20th

Karl Schrade made motion to approve the date change for the March 13th meeting to March 20th and cancelling the March 27th meeting. Mike Schlegel seconded the motion. All in favor; motion passed, date change and cancellation approved.

6. Director's Report

a. Jeff Key, Peccia & Associates - Transportation Study

Dave Prunty stated that him and Guy met with Jeff and discussed some preliminary information.

Jeff Key briefly reviewed his previous discussions with the commissioners and the city about transportation plans. He is currently working on one for the city of Kalispell. He stated the first step for a transportation plan is to establish a study area boundary, and this needs to be discussed to make sure everyone is agreeable to the boundary. He continued on with the second step being the functional classification graphic. He stated every single roadway cannot be looked at; typically it would be the major roadways. Some local roadways can be included as areas of interest if need be.

Jeff went on to explain the Level of Service, which is a way to categorize roadways. He continued to explain the information needed to study these areas, such as site distance, crash trends, etc. Helena supplies data which shows densities of where accidents are happening.

Jeff was requested by Guy and Dave to think about a way that can help rate where to spend maintenance money. He came up with draft county road maintenance rating system, which includes; ADT, project cost, truck traffic, functional classification, major roadways, safety, emergency vehicle routes, school bus routes, etc. He stated his goal was to get this information more refined and apply these criteria to all roadways. He affirmed that this rating is not for paving new roads, this is for maintenance only.

Karl Schrade questioned the actual physical road conditions included in the criteria. He stated there may be a road with low traffic but needs more repairs. Guy Foy stated this is something that needs to be discussed further and different criteria situations, such as gravel versus pavement.

Karl Schrade asked if Jeff was going to do the ratings on the roads. Dave Prunty stated the road department will get the information to Jeff with a list of 20 roads and have a third party review. He continued with one of his big issues were right-of-way problems, as to

whether the road is within the right-of-way or not. He stated it's hard to commit thousands of dollars to a road if it is not on right-of-way.

Jeff Key continued with discussion from the first meeting about the modeling business. This is the planning perspective and what the needs of the future and land use assumptions will be. He continued with other work tasks he will be working on which is doing research and criteria for the paving of roads considering the comments about dust issues.

Karl Schrade questioned the boundary map and the elimination of the North Fork Road. He stated this is one of the biggest controversial roads the county has to maintain. Dave Prunty stated there is approximately 300 residents and that there is 45 miles of road to maintain. Charles Lapp stated this is a road that connects Glacier Park, plus the controversy with the wildlife. He also stated the maintenance on the road is high for the number of residents. He was hoping to reduce the amount of maintenance on the road. Karl Schrade shared some statistics of the residents as to what their feelings are on paving, dust abatement, and winter maintenance. Charles Lapp questioned the boundary going out to Ashley Lake and Bitterroot Lake. Dave Prunty pointed out that the boundary includes Batavia, but not the west side of Ashley. He stated when the boundary was drawn it mainly included just the valley floor.

Charles Lapp questioned the city of Kalispell's boundary on their transportation plan and how this will affect the county's transportation plan. Jeff Key stated that the city is using a more aggressive growth rate, than what the actual growth policy states. He stated the city's plan will not even be considered as being included with the county's plan.

Charles Lapp asked if Jeff was expecting the committee to provide goals and objectives. Jeff replied that there really should be goals and objectives to get to the desired ending, but this is something to be discussed later.

b. Continuation of Historic Right -of-Way Purchase from Montana DNRC

Charles Lapp stated he had found more information regarding the historic right-of-way and suggested putting it back on the agenda for further discussion.

Dave Prunty introduces Norm Kuennen from the Montana DNRC as the specialist for the right-of-way. He informed the committee that this issue has already been litigated and gone to the state supreme court and the federal supreme court on a case in Arizona. He stated the road department is going to prioritize the different roads.

Norm Kuennen stated he has been dealing with roads for 30 years and he is currently dealing with four other counties in Montana besides Flathead. He stated on the 5.2 million acres of state trust land, there are thousands of roads, utilities, private business, etc that do not have a legally filed easement to cross state land. He described how the state initiated the issue, regarding the MonTrust company bringing suit against the states for not receiving the funds for these easements. He continued with his explanation on how the state land easements came about, and the issues associated with them. He said some roads have a

legally sited easement on state lands, and has a list of these roads. He has also been pretty successful at finding pre-existing documentation for roads, such as the northern portion of KM Ranch Road, which was part of the Old Fort Steel Trail, long before Montana became a state. He stated he will try to help find information for the county. He suggested to the committee about the possibility of working with the utility companies and sharing the costs of the easements, since utilities do not have a legal easement either. He also suggested working with other landowners that have to cross state land to help with the costs.

Dave Prunty stated that the state land has no intention of gating off roads, but should a landowner want to sell their property they may not have a legal easement to reach their property. He stated this is where the legal issues could come back down onto the county, because the county knew of the easement issues and nothing happened.

Charles Lapp asked if the committee should really be involved in this issue. Mike Pence stated this is just for informational purposes. Dave Prunty stated he wanted the committee to know where some of the road funding is going.

c. Road Questionnaire for Other Counties

Dave Prunty stated at the previous meeting it was questioned as to what the other counties do, so this questionnaire was sent to five large counties; Missoula, Gallatin, Lewis & Clark, Yellowstone and Cascade. He stated that Missoula County is the only one that has responded so far, and as soon as more respond the staff will summarize the information in a spreadsheet to review.

7. Comments from Committee Members

Mike Schlegel suggested moving forward with recommendations and to start discussing different ideas.

Dave Prunty stated that Miral Gamradt will be here at the next meeting on the 20th of March to discuss the Exposure draft. He stated a copy of the draft will be sent to the committee members to review before the meeting. He would like to see the committee study the draft and come up with any questions for Miral.

8. Adjournment

Mike Schlegel made the motion to adjourn, Karl Schrade seconded, all in favor, motion passed. Meeting adjourned at 9:10 p.m.